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PATENT

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In Re Application of:

Swayze, et al.

Serial No.: 10/071,978

Group Art Unit: 1646

TECH CENTER 1600/2900

Filing Date: February 6, 2002

Examiner: Not Yet Assigned

For: NOVEL BENZIMIDAZOLE COMPOUNDS

DATE OF DEPOSIT: June 10, 2003  
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INFORMATION DISCLOSURE STATEMENT

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Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

- ☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first office action after the filing of request for continued examination under §1.114, no additional fee is required.

- ☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐the first or ☐second After Final Submission, therefore:
- ☐ Certification in Accordance with §1.97(e) is attached; or
- ☐ The fee of \$180.00 as set forth in §1.17(p) is attached.
- ☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or before an action that otherwise closes prosecution in the application, therefore:
- ☐ Certification in Accordance with §1.97(e) is attached; or
- ☐ The fee of \$180.00 as set forth in §1.17(p) is attached.
- ☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); and the submission fee of \$180.00 as set forth in §1.17(p).
- ☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith  
EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and  
the likelihood that these references are available to the Examiner, copies  
are not enclosed herewith.

☐ In accordance with §1.98(d), copies of the following references listed on  
the attached Form PTO-1449 are not enclosed herewith because they were  
previously cited by or submitted to the U.S. Patent and Trademark Office  
in patent application(s) for which a claim for priority under 35  
U.S.C. §120 have been made in the instant application:

☐ Copies of references [list as appropriate] listed on the attached Form  
PTO-1449 were previously cited by or submitted to the Patent and  
Trademark Office in prior application Serial No. , filed .

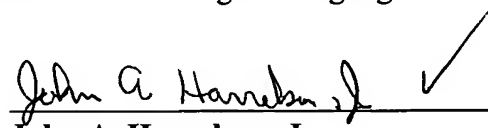
☐ If any of the foregoing publications are not available to the  
Examiner, Applicant will endeavor to supply copies at the  
Examiner's request.

Applicants provide herewith twenty three(23) sheets containing structures obtained from  
an on-line search.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.  
This form is submitted in duplicate.

There are no listed references which are not in the English language.

Date: June 9, 2003

  
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